

UNITED STATES DISTRICT COURT

Western District of North Carolina

UNITED STATES OF AMERICA

V.

Alvin Dwight Fair

Filed Date of Original Judgment: 9/27/2006
(Or Filed Date of Last Amended Judgment)

) **AMENDED JUDGMENT IN A CRIMINAL CASE**
) (For Offenses Committed On or After November 1, 1987)

)
) Case Number: DNCW503CR00051-001
) USM Number: 19420-058
)

) Ross Hall Richardson
) Defendant's Attorney

Reason for Amendment:

- | | |
|---|--|
| <input type="checkbox"/> Correction of Sentence on Remand (18 U.S.C. § 3742(f)(1) and (2)) | <input type="checkbox"/> Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e)) |
| <input type="checkbox"/> Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b)) | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1)) |
| <input type="checkbox"/> Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a)) | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2)) |
| <input type="checkbox"/> Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36) | <input checked="" type="checkbox"/> Direct Motion to District Court Pursuant
<input checked="" type="checkbox"/> 28 U.S.C. § 2255 Or <input type="checkbox"/> 18 U.S.C. § 3559(c)(7) |

THE DEFENDANT:

- ☐ Pleaded guilty to count(s).
- ☐ Pleaded nolo contendere to count(s)_which was accepted by the court.
- ☒ Was found guilty on count(s) 1,7,8,9,10 & 11 after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):


Title and Section	Nature of Offense	Date Offense Concluded	Counts
21:846	Conspiracy to possess with intent to distribute, a quantity of cocaine base, a Sch. II controlled substance	July 2003	1
21:841	Possessing with intent to distribute, a quantity of cocaine base, a Sch. II controlled substance	6/11/03 6/25/03 7/1/03	7 8 11
18:924(c)(1)	Using and carrying a firearm during and in relation to a drug trafficking crime	7/1/03	9

The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a). ☒ **Count(s) 4 is dismissed on the motion of the United States. Count 10 is vacated in Order filed on 6/25/14.**

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 9/2/2014

Signed: September 10, 2014



Richard L. Voorhees
United States District Judge



Defendant: Alvin Dwight Fair
Case Number: DNCW503CR00051-001

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **the Court's original sentence will be reaffirmed in all respects except that the custodial portion will be ONE HUNDRED THIRTY-FIVE (135) MONTHS FOLLOWED BY SIXTY (60) MONTHS MANDATORY CONSECUTIVE TME.**

- ☐ The Court makes the following recommendations to the Bureau of Prisons:
- ☒ The Defendant is remanded to the custody of the United States Marshal.
- ☐ The Defendant shall surrender to the United States Marshal for this District:
- ☐ As notified by the United States Marshal.
- ☐ At _ on _.
- ☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ As notified by the United States Marshal.
- ☐ Before 2 p.m. on _.
- ☐ As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal

Defendant: Alvin Dwight Fair
Case Number: DNCW503CR00051-001

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STATEMENT OF ACKNOWLEDGMENT

I understand that my term of supervision is for a period of _____ months, commencing on _____.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

I understand that revocation of probation and supervised release is mandatory for possession of a controlled substance, possession of a firearm and/or refusal to comply with drug testing.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) _____ Date: _____
Defendant

(Signed) _____ Date: _____
U.S. Probation Office/Designated Witness